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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/083,680	02/25/2002	Kai Sjoblom	915-004.7	9437
4955	7590	06/07/2006	EXAMINER	
WARE FRESSOLA VAN DER SLUYS & ADOLPHSON, LLP BRADFORD GREEN, BUILDING 5 755 MAIN STREET, P O BOX 224 MONROE, CT 06468			HO, DUC CHI	
			ART UNIT	PAPER NUMBER
			2616	

DATE MAILED: 06/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/083,680

Applicant(s)

SJOBLUM, KAI

Examiner

Duc C. Ho

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 10-15, 18 and 20-36 is/are rejected.
- 7) ☒ Claim(s) 7-9, 16, 17 and 19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2-28-06
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Drawings

1. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-6, 10-15, 18, and 20-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over figure 1, pages 3-5 of the Admitted Prior Art of the instant application, hereinafter referred to as the APA, in view of Chiu et al. (US 5,101,402-IDS record), hereinafter referred to as Chiu.

Regarding claim 1, the APA discloses in fig. 1 a reference configuration for the lawful interception for GPRS.

The GSN3-fig.1 receives a request from the ADMF to generate interception related information, and content of corresponding information for delivering to the Law Enforcement Agency (LEA) via the IRI delivery function and CC delivery function, respectively (corresponding to generating interception related information packets from a communication or network activity to be intercepted; generating communication content packets from said communication or network activity to be intercepted; transmitting said interception related information packets, said communication packets, said identification data and said ordering data to an interception authority device).

The APA, however, does not expressly disclose (1) providing identification data for said interception related packets and/or for said communication content packets of one group of communication packets (2) providing ordering data for each of said interception related information data packets and/or for each of said communication content packets which are generated in the generating step.

One skill in the art would recognize the advantage of employing a mechanism to enable all packets transmitted in identified sessions contain a sequence number identifying its transmission order, and re-sequencing any packets extracted in an order different from said transmission order so that intercepted information received from the GSN coming from different sources could be obtained correctly at the LEA.

Chiu discloses apparatus and method for real time monitoring of network sessions in a local area network. Chiu discloses session identification, see col. 10-line 50 to col.11-line 3, and a flow chart in figure 11 for extracting packet header and re-

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sequencing any packets extracted in an order different from the original transmission order, see col. 9-line 55 to col. 10-line 23.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the APA with Chiu.

The suggestion/motivation for doing so would have been to enable all packets transmitted in identified sessions contain a sequence number identifying its transmission order, and re-sequencing any packets extracted in an order different from said transmission order so that intercepted information received from the GSN coming from different sources could be obtained correctly at the LEA.

Therefore, it would have been obvious to combine the APA with Chiu to obtain the invention as specified in claim 1.

Regarding claim 2, Chiu's mechanism for identifying data sessions and transmission order is used in the APA for identifying interception related information and for ordering the interception related information and the communication content packets.

Regarding claim 3, Chiu's system is capable of identifying a session identification data.

Regarding claim 4, the APA discloses the packet network is a GPRS network, and the session identification of Chiu could be obtained in the GPRS network from a PDP context in GPRS.

Regarding claim 5, in Chiu the ordering data should be integer numbers, which are incremented for each sequential packet.

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Regarding claim 6, the interception related information, and communication content packet of the APA should include a time stamp each interception for providing the information to the LEA.

Regarding claim 7, the APA discloses the LEA 1-fig.1 could be a SGSN or a GGSN or other node intercepting user activity or frames containing user level packet data.

Regarding claims 10-15, these claims have similar limitations as claims 1-6, respectively. Therefore, they are rejected under the APA-Chiu for the same reasons set forth in the rejection of claims 1-6.

Regarding claim 18, this claim has similar limitations as claim 1. Therefore, it is rejected under the APA-Chiu for the same reasons set forth in the rejection of claim 1. The APA discloses all the claimed components, and Chiu teaches session identification and ordering data.

Regarding claims 20-21, these claims have similar limitations as claims 1-2, respectively. Therefore, they are rejected under the APA-Chiu for the same reasons set forth in the rejection of claims 1-2.

Regarding claim 22, in the APA the LEA apparatus is a network element.

Regarding claim 23, in the APA the LEA apparatus is a SGSN.

Regarding claim 23, in the APA the LEA apparatus is a GGSN.

Regarding claim 25, these claims have similar limitations as claim 1. Therefore, it is rejected under the APA-Chiu for the same reasons set forth in the rejection of claim 1.

Regarding claim 26, this claim has similar limitations as claim 2. Therefore, it is rejected under the APA-Chiu for the same reasons set forth in the rejection of claim 2.

Regarding claims 27-29, these claims have similar limitations as claims 22-24, respectively. Therefore, they are rejected under the APA-Chiu for the same reasons set forth in the rejection of claims 22-24.

Regarding claims 30-34, these claims have similar limitations as claims 20-24, respectively. Therefore, they are rejected under the APA-Chiu for the same reasons set forth in the rejection of claims 20-24.

Regarding claim 35, this claim has similar limitations as claim 1. Therefore, it is rejected under the APA-Chiu for the same reasons set forth in the rejection of claim 1.

Regarding claim 36, the APA discloses the apparatus is a Law Enforcement Agency device.

Allowable Subject Matter

4. Claims 7-9, 16-17, and 19 are objected to as being independent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc Ho whose telephone number is (571) 272-3147. The examiner can normally be reached on Monday through Friday from 7:00 am to 3:30 pm.

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin, can be reached on (571) 272-3134.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patent Examiner



5-23-06

Duc Ho